

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 13 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 13 2003

The applicant **Malcolm F. Wittig and Gerlinde Wittig**, hereby makes application for permission to change the **Point of Diversion and Place of Use** of a portion of water heretofore appropriated under **Permit 38483**

1. The source of water is **underground**
2. The amount of water to be changed **0.506 cfs – 161.76 acre feet**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **Lot 4 (NW¼ NW¼) of Section 3, T.36N., R.62E., M.D.B.&M., at a point from which the Northwest corner of said Section 3 bears N 56° 08' 10" W, 542.87 feet.**
6. The existing permitted point of diversion is located within **SW¼ NE¼ of Section 5, T.34N., R.63 E., M.D.B. & M. at a point from which the Northeast corner of said Section 5 bears N 28° 24' 00" E, 2424.00 feet.**
7. Proposed place of use **All of Section 3, T.36 N., R. 62 E., M.D.B. & M. (40.44 acres)**
8. Existing place of use **North ½ of Section 5, T.34 N., R.63 E., M.D.B. & M. (40.44 acres in Lot 4 – NW¼ NW¼ of Section 5, T.34 N., R.63 E., M.D.B. & M. to be removed from irrigation).**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled well, pump, motor and pipelines.**
12. Estimated cost of works **\$10,000**
13. Estimated time required to construct works **3 year**
14. Estimated time required to complete the application of water to beneficial use **5 year**
15. Remarks:

By **Robert E. Morley, High Desert Engineering
s/Robert E. Morley
640 Idaho Street
Elko, Nevada 89801**

Compared hmw/ cmf ag/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 38483 is issued subject to the terms and conditions imposed in said Permit 38483 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5055 cubic feet per second, but not to exceed 161.76 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 6, 2007

Proof of completion of work shall be filed on or before:

August 6, 2007

Water must be placed to beneficial use on or before:

July 6, 2009

Proof of the application of water to beneficial use shall be filed on or before:

August 6, 2009

Map in support of proof of beneficial use shall be filed on or before:

August 6, 2009

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 6th day of July, A.D. 2004


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

